



August 15, 2001

Mr. George Hall
Plant Manager
MOUNTAINVIEW POWER COMPANY, LLC
25770 San Bernardino Avenue
San Bernardino, CA 92408-3154

SUBJECT: Approval of Request for Additional Laydown Area
Mountainview Power Project (00-AFC-2C)

Dear Mr. Hall:

California Energy Commission staff have reviewed your request for an additional eleven acre construction laydown area for the Mountainview Power Project (MVPP). This area will be south of the existing construction parking and will occupy prime, cultivated agricultural lands adjacent to the previously approved three acres of laydown area near the Santa Ana River. According to your proposal, all 14 acres of agricultural land will be restored to farmland after the 18-23 month construction time period.

To assure that the lands can be returned to agricultural development, certain protections must be undertaken. These include the removal and stockpiling of the topsoil to be re-distributed on the farmland within 60 days after the start of commercial operation. To protect the stored topsoil from wind and water erosion, the piles shall be vegetated (tarping for this long a period of time may damage the soil properties) and the vegetated cover maintained during the construction period.

The substratum also must be protected from potential contamination by oil, grease or other contaminants that may be deposited by the parked vehicles and stored equipment. Once the topsoil is removed and stored, the gravel, and crushed rock that you propose to cover the laydown area with must be underlain by a protective barrier to prevent seepage of spilled contaminants into the subsoil along temporary roads where vehicles are parked, refueled and certain equipment is stored. Vehicles and equipment must be periodically inspected for leaks and if such leaks are detected, repaired. Within 60 days after start of commercial operation, all gravel and other construction-related materials shall be removed and disposed of at appropriate facilities prior to the distribution of the original topsoil.

MVPP shall employ Best Management Practices (BMPs) that prevent off-site stormwater discharge from this new construction laydown area as well as other site areas. Measures to limit erosion and sedimentation from the construction laydown area

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may include soil stabilization, impermeable barriers, swales, detention facilities or other such controls.

United States Environmental Protection Agency, in consultation with the United States Fish and Wildlife Service concurs that the proposed expansion will result in no effect to endangered or proposed species or critical habitats.

As directed by Governor's Executive Order D-25-01, concerning post-certification amendments, we have expedited review of this proposed project modification because statutes and implementing regulations that normally apply to review and approval of this amendment have been suspended. Energy Commission staff have concluded that if conditions of certification applied to the rest of the project are extended to the additional laydown area, this modification has no potential for adverse environmental or public health and safety impacts. Therefore, you are authorized to proceed with the project modification as requested. A copy of this letter will be posted on the Energy's Commission website at www.energy.ca.gov, and we will file a California Environmental Quality Act Notice of Exemption with the State Clearinghouse.

If you have any questions, please contact Donna Stone, Compliance Project Manager, at (916) 654-4745, or by e-mail at dstone@energy.state.ca.us.

Sincerely,

ROBERT L. THERKELSEN, Deputy Director
Systems Assessment and Facilities Siting

cc: James Diven, URS
Lorraine White, CEC
Donna Stone, CEC